

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

2007 JUL 18 P 1:47

U.S. DISTRICT COURT  
EASTERN DIST. TENN.

SANDRA CUNDIFF, )  
vs. Plaintiff, )  
vs. )  
RODNEY D. POSTEL, Individually and )  
in his official capacity, BLOUNT COUNTY )  
SHERIFF JAMES BERRONG, Individually )  
and in his official capacity, and BLOUNT )  
COUNTY, )  
Defendants. )  
)  
No. 3:06-cv-437  
(Notice of Entry Requested)  
BY \_\_\_\_\_ DEPT. CLERK

## AGREED DISCOVERY ORDER

The Plaintiff, having instituted legal proceeding making relevant the medical, psychological, employment, unemployment, educational, and social security records of **Sandra R. Cundiff** (Date of Birth: 1967; Social Security No.: ), and the Defendants agree, as evidenced by the signatures below, that in order to save time and expense to the parties, this Agreed Discovery Order should be entered, and upon motion of the parties and for good cause shown, it is ORDERED that as pertains to **Sandra R. Cundiff**, any governmental offices, any past or present employers, whether full-time or part-time, any partnerships or professional corporations, and any physicians, osteopaths, podiatrists, mental health professionals, dentists, chiropractors, nurses, x-ray technicians, physical therapists, hospitals, clinics and/or all other healthcare facilities and/or entities or persons are hereby authorized and

directed to make available to **Carl P. McDonald and/or any agent or representative of Goddard & Gamble Attorneys**, Maryville, Tennessee, any information, records or opinions they may request regarding the physical or mental condition of **Sandra R. Cundiff** and any treatment which has been rendered to **Sandra R. Cundiff**, and to produce for inspection, examination and copying, at his/their expense, any and all documents and other records, including but not limited to, medical and hospital records, files, test results, pharmacy records, office notes and charts and billing records evidencing or pertaining in any way to the physical or mental conditions or treatment of **Sandra R. Cundiff**, or the charges for same.

IT IS FURTHER ORDERED that any and all past or present employers of **Sandra R. Cundiff**, whether full-time or part-time, are hereby authorized and directed to make available to **Carl P. McDonald, and/or an agent or representative of Goddard & Gamble Attorneys**, any information they may request regarding the past or present employment of **Sandra R. Cundiff**, and to produce for examination and copying, at their expense, any and all documents or other records, including but not limited to, the personnel file, attendance records, sick leave records, leave of absence records, vacation records, evaluations, medical file, grievance file, employment file, insurance records and compensation records, evidencing or pertaining in any way to the income or employment of **Sandra R. Cundiff**.

IT IS FURTHER ORDERED that any school, high school, college, university, trade school or other learning facility, in which **Sandra R. Cundiff** is or was a student is authorized and directed to make available to **Carl P. McDonald and Goddard & Gamble Attorneys**, and/or their agents or representatives, any information or opinion they may request regarding

**Sandra R. Cundiff**, and to produce for inspection and copying, at their expense, any and all documents and other records in its possession regarding **Sandra R. Cundiff**.

IT IS FURTHER ORDERED, in accordance with the Health Insurance Portability and Accountability Act (“HIPAA”), 45 C.F.R. §§160 and 164, **Sandra R. Cundiff** and the Defendants hereby acknowledge, through counsel, that the medical records released per this Order shall be used for discovery purposes in the above-styled lawsuit, and **Sandra R. Cundiff** acknowledges, through his counsel, that any request for medical records shall include all records pertaining to treatment rendered to **Sandra R. Cundiff**, irrespective of the type of treatment or time of services rendered. Lastly, **Sandra R. Cundiff** acknowledges, through her counsel, that records obtained pursuant to this Order may be disseminated to agents and/or associates of Defendants’ counsel, including but not limited to this Defendants or their agents, representatives, and expert witnesses, and that any such information disseminated may no longer be protected by the HIPAA privacy standards, and in further accordance with HIPAA, counsel for the Defendants hereby acknowledges that the dissemination of records obtained pursuant to this Order shall be limited to agents and/or associates of Defendants’ counsel, including, without limitation, the Defendants or their agents, representatives and expert witnesses.

IT IS FURTHER ORDERED that a copy of this Order shall be treated as an original and all affected persons or entities may treat a copy as an original order.

IT IS FURTHER ORDERED that the Plaintiff’s attorney is to be provided with copies of all records obtained at no cost to the Plaintiff within ten (10) days of receipt of said records, and if any records are obtained within ten (10) days of any hearing, copies shall be provided to Plaintiff’s attorney within five (5) days prior to the use of said records at any hearing.

IT IS FURTHER ORDERED that by the entry of this order, the Plaintiff waives any claim of confidentiality or privacy with regard to any records obtained pursuant to this order and that said Plaintiff consents to the entry of this order allowing the production of the records referred to herein.

ENTER this 18 day of July, 2007.

H Bruce Johnson  
JUDGE  
U.S. DIST

APPROVED FOR ENTRY:

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